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SIPDIS

DEPT FOR EUR/SE, EEB/TPP/IPE, INL/C-CP  
DEPT PLEASE PASS USPTO FOR JOELLEN URBAN, MICHAEL SMITH  
DEPT PLEASE PASS USTR FOR MARK MOWREY, JENNIFER CHOE GROVES  
COMMERCE FOR ITA/MAC CHERIE RUSNAK, HILLEARY SMITH

E.O. 12958: N/A

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SUBJECT: IPR TRAINING FOR TURKISH CUSTOMS: LESSONS LEARNED

REF: A. ANKARA 735

[¶](#)B. ANKARA 702

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[¶](#)1. Summary. Between May 2008 and September 2009, Post provided six sessions of training for Turkish Customs on how to recognize and seize counterfeit products, working with the U.S. Patent and Trademark Office (USPTO) and Customs and Border Protection (CBP) on an INL-funded program. In total, we trained 227 Turkish law enforcement officials in these sessions. As our budget progressively shrank, we were forced to find creative ways to stretch our training dollars, resulting in three different training models. This cable presents the pros and cons of each model and the lessons learned. Finding effective local partners within the business community can dramatically cut costs, as can partnership with missions from other countries. While bringing managers from different Customs posts to a central location helps spread the message at a certain key level, it is also possible to take the show on the road and reach out to the actual line officers without adding substantially to the cost of training. Hands-on training from the actual rights holders presents a more memorable experience for the recipients of training, and also helps rights holders establish useful contacts with front-line inspectors. End summary.

[¶](#)2. Using an INL grant of USD 47,595 for intellectual property rights (IPR) training for Turkish Customs, Post coordinated with the USPTO and CBP to provide six training sessions on counterfeit goods recognition over a period of 16 months. As the budget grew progressively smaller, we tried out various (progressively cheaper) training models. As each set of trainings took a different approach, this cable examines the pros and cons of each.

Bringing Mehmet to the Mountain: Centralized Training

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[¶](#)3. The first training program was held on May 29-30, 2008 and brought together 38 Customs officers from across Turkey, mainly at the managerial level. Many of the attendees were flown into Istanbul and provided lodging at USG expense. The training was held at a local hotel and involved two days of presentations from USPTO and CBP officials on targeting techniques as well as case studies on how to deal with suspect shipments. Representatives from the private sector also participated as observers.

[¶](#)4. PROS: By involving managers from across Turkey, we were

able to reach the broadest range of Customs posts at a high-level and stress the importance of protecting IPR. The two-day format also allowed for an in-depth review of strategies and techniques that these managers could take back to their posts and impart to their line officers. Participating rights holders were able to network with Customs officers.

¶ 15. CONS: This training session was by far the most expensive, as we paid for the meeting facilities (including simultaneous translation) and the lodging and transportation for many of the participants. The total cost was approximately USD 37,400, over 3/4 of the overall budget (not counting expenses associated with bringing experts from the U.S.), or about USD 1000 per official trained. While reaching out to managers passed the message that IPR is important at a higher-level, the lack of line officers meant that those most likely to use and apply specific targeting strategies were not participating (and their acquisition of the techniques depended upon the managers actually taking the time to pass along the training's lessons). Several participating officers noted that they would have preferred more hands-on training on specific types of products instead of the necessarily more theoretical targeting strategies and case studies.

#### Bringing the Mountain to Mehmet: On-Site Training

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¶ 16. Initially, we had planned to conduct only the one training session, but as there were still some funds remaining in the budget -- approximately USD 10,000 -- we looked for alternative ways to conduct additional programs. Holding another centralized training was out of the question with the funds available, so we tried to develop a new program that

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would be substantially cheaper while addressing some of the weaknesses of the previous session. The result was a series of one-day trainings from March 24-27, 2009, held in cities near major Customs posts (the ports of Istanbul and Izmir and the land border crossing into Greece and Bulgaria at Edirne).

¶ 17. The second round of trainings also involved direct participation from USPTO and CBP officials, and reached an additional 131 Customs line officers and local Turkish National Police (TNP) officers with IPR responsibilities. Unlike the earlier training, these sessions brought in active participation by rights holders, including presentations on specific techniques for determining the authenticity of their goods and a hands-on "fake goods trade show" where officers had an opportunity to compare exemplars of genuine and counterfeit products and learn from the IPR owners how to tell the difference.

¶ 18. To control costs, we took advantage of the fact that the Turkish Union of Chambers and Commodity Exchanges (TOBB - the local equivalent of the Chamber of Commerce) is engaged in a long-term collaboration with Turkish Customs to modernize the service (including millions of dollars in renovation for border posts). Recognizing the importance of this training, TOBB agreed to provide the conference facilities of their local chambers at no cost. In addition, at the Istanbul and Izmir locations they agreed to provide simultaneous translation equipment, further slashing costs. The Izmir Chamber of Commerce also offered to provide lunch for the Izmir training, and the American Business Forum in Turkey (ABFT - a U.S. Chamber affiliate) stepped up to provide lunch in Istanbul and Edirne. By leveraging these partnerships, we were able to provide the training with little expense beyond the travel of Embassy staff and hiring translators (plus translation equipment for the Edirne site). USPTO again generously covered the travel of its own staff and the CBP participant. The cost for these three trainings came in at just under USD 6700.

¶9. PROS: Obviously, the chief benefit of this model was to provide training to a substantial number of officers for a fraction of the cost (about USD 50 per official trained). Bringing the training to the individual cities meant greatly increased participation from actual line officers, imparting effective techniques to those who will use them in their daily work. The hands-on element of the "fake goods trade show" was particularly effective and well-received.

Increasing the degree of involvement by interested private sector rights holders provided them with an opportunity to highlight the specific characteristics of their products and to network directly with line officers. Finally, inviting non-Customs law enforcement officials to participate, such as the TNP, brought in new perspectives and passed the message on to other parts of the law enforcement apparatus at no additional cost (as described in reftels, the same TNP officers just weeks later conducted major raids of counterfeit pharmaceuticals, books, and CDs/DVDs.)

¶10. CONS: The one-day format meant less time for in-depth examination of techniques, and the inclusion of private-sector presentations further cut into the time available for case studies and law enforcement-specific discussions. The use of U.S.-based presenters required simultaneous translation, both expensive and time-consuming. It also required that the meetings all be held within a few days, so some rights holders could only participate in one session as they could not devote an entire week to traveling around Turkey. Using borrowed facilities reduced somewhat the ability to control circumstances, as was evident when the Izmir Chamber of Commerce invited the press to attend the introductory speeches (useful in raising awareness of IPR, but requiring us to ask them to leave when more sensitive topics began to be discussed).

#### Speaking Mehmet's Language: Local Training in Turkish

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¶11. With only about USD 3200 left in the account, we were forced to look at even further cost-cutting measures. Recognizing that more than half of the expense of the March trainings had been for translators and equipment, and taking advantage of the participation of Embassy staff in those trainings, we proposed to USPTO that we conduct the same

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style of training entirely in Turkish using Embassy personnel (one FSN and one Turkish-speaking Econ officer). With USPTO concurrence, and input from CBP in designing an appropriate presentation, we held these trainings in the southern port cities of Mersin and Antalya September 28-30, 2009. The third round reached an additional 58 Customs and TNP officers.

¶12. The partnership of TOBB was once again essential, as they again provided local conference facilities at no charge. New partners also appeared out of the woodwork, a tribute to the success of our previous programs. The Italian Consulate General in Istanbul's IPR Desk heard of the March training from companies that had participated and asked if they could partner with us in the next round. They brought various Italian companies to the September sessions, adding an EU perspective to the discussions, and also sponsored lunch for the Antalya program. The Turkish Trademark Association (TMD), some of whose members had taken part in March, also came forward and offered to pay for lunch at the Mersin location. The only cost for these programs, therefore, was to translate the CBP presentation and pay for Embassy staff travel. Because Antalya and Mersin are somewhat smaller posts and therefore have fewer officers, the cost per official trained was comparable to the March sessions, at around USD 50.

¶13. PROS: The pros of this model are similar to those described in para 9 above. In addition, holding the session entirely in Turkish meant there was no need to pace speech to

allow for translation. The time saved permitted us to include even more rights holder participation (which was handy, as the success of the previous program had led to increased rights holder interest). The inclusion of Italian firms also added EU perspectives and awareness of EU regulations, useful as Turkey continues its accession talks with the EU.

¶14. CONS: Embassy officers are obviously not trained Customs professionals, and so are limited in their ability to respond to questions on specific techniques. While increased demand from rights holders created an agenda that focused on everything from batteries to soap to Viagra, the more presentations there are the less time there is for each. At the same time, having too many presentations increases the risk of information overload – several officers commented that they would have preferred fewer but more detailed presentations from rights holders.

#### What Mehmet Taught Us: Lessons Learned

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¶15. Although each model has its own pros and cons, all were successful in the main goal of passing on counterfeit goods recognition techniques to Customs officers. The key takeaway was that finding effective local partners within the business community can dramatically cut costs, as can partnership with missions from other countries. While bringing managers from different Customs posts to a central location helped spread the message at a certain key level, we learned that it is also possible to take the show on the road and reach out to the actual line officers without adding substantially to the cost of training. Hands-on training from the actual rights holders presented a more memorable experience for the recipients of training, and also helped rights holders establish useful contacts with front-line inspectors.

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